

AMENDMENT TO H.R. 5515
OFFERED BY MR. PEARCE OF NEW MEXICO

At the appropriate place in the bill, insert the following new section:

1 **SEC. ____ . MODIFICATION OF BOUNDARIES OF WHITE**
2 **SANDS NATIONAL MONUMENT AND WHITE**
3 **SANDS MISSILE RANGE.**

4 (a) **DEFINITIONS.**—In this section:

5 (1) **MISSILE RANGE.**—The term “missile
6 range” means the White Sands Missile Range, New
7 Mexico, administered by the Secretary of the Army.

8 (2) **MONUMENT.**—The term “monument”
9 means the White Sands National Monument, New
10 Mexico, established by Presidential Proclamation
11 No. 2025 (16 U.S.C. 431 note), dated January 18,
12 1933, and administered by the Secretary.

13 (3) **PUBLIC LAND ORDER.**—The term “Public
14 Land Order” means Public Land Order 833, dated
15 May 21, 1952 (17 Fed. Reg. 4822).

16 (4) **SECRETARY.**—The term “Secretary” means
17 the Secretary of the Interior.

1 (5) MILITARY MUNITIONS.—The term “military
2 munitions” has the meaning given the term in sec-
3 tion 101(e)(4) of title 10, United States Code.

4 (6) MUNITIONS DEBRIS.—The term “munitions
5 debris” means remnants of military munitions re-
6 maining after munitions use, demilitarization, or dis-
7 posal.

8 (b) TRANSFERS OF ADMINISTRATIVE JURISDIC-
9 TION.—

10 (1) TRANSFER OF ADMINISTRATIVE JURISDIC-
11 TION TO THE SECRETARY.—

12 (A) IN GENERAL.—Administrative jurisdic-
13 tion over the land described in subparagraph
14 (B) is transferred from the Secretary of the
15 Army to the Secretary.

16 (B) DESCRIPTION OF LAND.—The land re-
17 ferred to in subparagraph (A) is the land gen-
18 erally depicted as “Transfer DOA to NPS (Na-
19 tional Park Service)” on the map titled “White
20 Sands National Monument (WHSA) & White
21 Sands Missile Range (WSMR) New Proposed
22 White Sands National Monument Boundary”,
23 created April 20, 2018, comprising—

24 (i) approximately 2,826 acres of land
25 within the monument that is under the ju-

1 jurisdiction of the Secretary of the Army;
2 and

3 (ii) approximately 5,766 acres of land
4 within the missile range that is abutting
5 the monument.

6 (2) TRANSFER OF ADMINISTRATIVE JURISDIC-
7 TION TO THE SECRETARY OF THE ARMY.—

8 (A) IN GENERAL.—Administrative jurisdic-
9 tion over the land described in subparagraph
10 (B) is transferred from the Secretary to the
11 Secretary of the Army.

12 (B) DESCRIPTION OF LAND.—The land re-
13 ferred to in subparagraph (A) is the approxi-
14 mately 3,737 acres of land within the monu-
15 ment abutting the missile range, as generally
16 depicted on the map described in paragraph
17 (1)(B) as “Transfer NPS to DOA (Department
18 of the Army)”.

19 (c) BOUNDARY MODIFICATIONS.—

20 (1) MONUMENT.—

21 (A) IN GENERAL.—Following transfers in
22 subsection (b), the boundary of the monument
23 is modified as generally depicted as “New Pro-
24 posed WHSA Boundary” on the map described
25 in subsection (b)(1)(B).

1 (B) MAP.—

2 (i) IN GENERAL.—The Secretary, in
3 coordination with the Secretary of the
4 Army, shall prepare and keep on file for
5 public inspection a map and legal descrip-
6 tion depicting the revised boundary of the
7 monument.

8 (ii) EFFECT.—The map and legal de-
9 scription shall have the same force and ef-
10 fect as if included in this Act, except that
11 the Secretary may correct clerical and ty-
12 pographical errors in the legal description
13 and map.

14 (2) MISSILE RANGE.—The Public Land Order
15 is modified to exclude the land transferred to the
16 Secretary under subsection (b)(1) and to include the
17 land transferred to the Secretary of the Army under
18 subsection (b)(1).

19 (3) CONFORMING AMENDMENT.—Section 2854
20 of Public Law 104–201 (54 U.S.C. 320301 note) is
21 repealed.

22 (d) ADMINISTRATION.—

23 (1) MONUMENT.—The Secretary shall admin-
24 ister the land transferred under subsection (b)(1) in

1 accordance with laws (including regulations) applica-
2 ble to the monument.

3 (2) MISSILE RANGE.—Subject to paragraph (3),
4 the Secretary of the Army shall administer the land
5 transferred to the Secretary of the Army under sub-
6 section (b)(2) as part of the missile range.

7 (3) FENCE.—

8 (A) IN GENERAL.—The Secretary of the
9 Army shall continue to allow the Secretary to
10 maintain the fence shown on the map described
11 in subsection (b)(1)(B) until such time as the
12 Secretary determines that the fence is unneces-
13 sary for the management of the monument.

14 (B) REMOVAL.—If the Secretary deter-
15 mines that the fence is unnecessary for the
16 management of the monument under subpara-
17 graph (A), the Secretary shall promptly remove
18 the fence at the expense of the Department of
19 the Interior.

20 (4) MILITARY MUNITIONS AND MUNITIONS DE-
21 BRIS.—

22 (A) RESPONSE ACTION.—With respect to
23 any Federal liability, the Secretary of the Army
24 shall remain responsible for any response action
25 addressing military munitions or munitions de-

1 bris on the land transferred under subsection
2 (b)(1) to the same extent as on the day before
3 the date of enactment of this Act.

4 (B) ACCESS.—At the request of the Sec-
5 retary and subject to available appropriations,
6 the Secretary of the Army shall have access to
7 the land transferred under subsection (b)(1) for
8 the purposes of conducting investigations of
9 military munitions or munitions debris on the
10 transferred land.

11 (C) APPLICABLE LAW.—Any activities un-
12 dertaken under this subsection shall be carried
13 out in accordance with the Comprehensive En-
14 vironmental Response, Compensation, and Li-
15 ability Act of 1980 (42 U.S.C. 9601 et seq.).

